

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

480J0658

## SENATE ENGROSSED NO. **HB 1221** - 02/18/2004

Introduced by: Representative Wick and Senator Kelly

1 FOR AN ACT ENTITLED, An Act to require certain publishers to provide electronic versions  
2 of textbooks suitable for conversion into Braille and to declare an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Upon request, a publisher of a textbook that is adopted for instructional use by  
5 a school district shall furnish the South Dakota State Library with an electronic version of the  
6 textbook if the textbook is for a literary subject; or, if the textbook is for a nonliterary subject,  
7 such as natural sciences, computer science, mathematics, or music, an electronic version shall  
8 be furnished if the technology is available to convert the textbook directly to a format  
9 compatible with Braille translation software. The publisher shall provide the electronic file to  
10 the requesting agency within sixty days of receiving written notice that the file is needed. The  
11 cost of the electronic publisher's file may not exceed the cost of a print copy of the same title.  
12 Legacy materials are exempt from the requirements of this section. For purposes of this section,  
13 the term, legacy, means images and graphics requiring release and permission from another  
14 source other than the publisher. The Department of Education shall oversee the process  
15 established in this section to ensure that the textbooks and electronic files arrive by the start of  
16 the school year.



1       Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace,  
2   health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and  
3   effect from and after its passage and approval.